



ATTACHMENT A

Remarks

By this Amendment, an addition to the detailed description consistent with claimed subject matter has been made. In the claims, independent claim 1 and dependent claims 2-9 have been amended for clarity; and a new dependent claim 10 has been added. It is submitted that the present application is in condition for allowance for the following reasons.

Initially in the *Specification* section of the Detailed Action of the outstanding Office Action, the specification was objected to for failing to provide antecedent basis for certain claimed subject matter. Therefore, by this Amendment, the noted subject matter has been added to the detailed description; which subject matter is consistent with that claimed and previously recited in the summary section of the application. In view of this addition, it is submitted that the objection to the specification has now been overcome.

Next in the *Claim Rejections* - 35 USC § 112 section of the Action, claims 1-9 were all rejected for being indefinite and incomplete. By this Amendment, all of the claims have been rewritten for better clarity and completeness in order to overcome the various noted problems. It will be noted that the alternative recitation of dependent claim 8 has been deleted therefrom and instead is now recited in new dependent claim 10. In view of the various changes to the claims, it is submitted that claims 1-10 are now all definite and complete, so that the rejection under § 112 has been overcome.

Finally, in the *Claim Rejections* - 35 USC § 102 section, independent claim 1 and dependent claims 2-9 were rejected under 35 USC § 102 as being anticipated by the

Kause '273 WO publication. However, for the following reasons, it is submitted that these claims are allowable over this reference.

The Kause '273 WO publication discloses applicant's prior invention which is broadly similar to that of the present invention. In particular, according to the method of the Kause '273 WO publication, the process is started with "wood containing at least a predetermined amount of moisture", which is then compressed. This compressed wood is then heated to "a temperature of over 100°C" and "preferably being about 500 to 600°C so that the predetermined amount of moisture is evaporated from the wood. Finally, the moisture-less ("nearly emptied of water") wood is cooled.

While the process and apparatus disclosed in the Kause '273 WO publication are broadly similar to those of the present invention, it will be appreciated that there are significant differences which are claimed in claim 1. For example, the present invention includes the step of drying a wood block, so that it is a dried wood block which is then initially compressed. In the Kause '273 WO publication, a wood block which is not dried but which has a predetermined amount of moisture, or which is saturated, is used. In the Kause '273 WO publication, it is taught that the use of driven off moisture/steam is desired, whereas in the present invention no such moisture/steam is used or desired. Thus, the use of a drying step and use of a dried wood block is neither disclosed nor made obvious by the Kause '273 WO publication, but rather is taught away from.

In the claimed method of the present invention, the pressed wood block is also heated to a temperature between 210-390°C in a heating chamber which is free of oxygen. This temperature is significantly different from the vague "over 100°C" of the Kause '273 WO publication, and obviously less than the preferred 500-600°C. In

addition, there is no teaching in the Kause '273 WO publication that the heating chamber is free of oxygen as specifically claimed. Therefore, the claimed temperature and oxygen free heating of the present invention is not equivalent to the heating disclosed in the Kause '273 WO publication.

Therefore, for all of the foregoing reasons, it is submitted that amended independent claim 1 is neither disclosed nor made obvious by the Kause '273 WO publication. For these same reasons, it is submitted that claims 2-10 dependent therefrom are similarly allowable.

For all of the foregoing reasons, it is submitted that the present application is in condition for allowance and such action is solicited.